
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

THE STATE OF UTAH, *et al.*,

Plaintiffs,

v.

DEB HAALAND, *et al.*,

Defendants.

No. 4:24-cv-00048-DN-PK

**JOINT MOTION TO STAY
PROCEEDINGS UNTIL JANUARY 17,
2025**

**DISTRICT JUDGE DAVID NUFFER
MAGISTRATE JUDGE PAUL KOHLER**

Plaintiffs and Defendants (the “Parties”) respectfully move the Court to 1) enter a stay of the proceedings in this case up to and including January 17, 2025, and 2) vacate the August 16, 2024 scheduling order. In support of this request, the Parties advise the Court as follows:

1. On October 8, 2024, the Court held a scheduling conference with the Parties. During the status conference, Plaintiffs communicated to the Court that they plan to amend their complaint based on a recent order in *Kane County v. United States*, Case No. 2:10-cv-1073 (D. Utah, August 9, 2024) and a proposed rule that the National Park Service published in the Federal Register on September 16, 2024. The Park Service anticipates that it will publish the final rule in early January 2025.

2. “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for

itself, for counsel, and for litigants.”¹ Granting a stay “ordinarily lies within the discretion of the district court, and in exercising its judgment the court must weigh competing interests and maintain an even balance.”² Here, because the pending rulemaking process may affect the scope of this litigation and the contents of the administrative record, a short stay is warranted. The proposed stay promotes judicial efficiency for the Parties and the Court, will not prejudice any party, and will not unduly delay this case.

3. For these reasons, the Parties request that this case 1) be stayed until January 17, 2025, and 2) that the Court vacate the scheduling order entered on August 16, 2024.³ Following the end of the stay, the Parties request that they be ordered to submit a status report or proposed scheduling order to the Court by January 31, 2025.

Respectfully submitted this 9th day of October.

TODD KIM
Assistant Attorney General

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¹ *Kittel v. First Union Mortg. Corp.*, 303 F.3d 1193, 1194–95 (10th Cir. 2002) (quoting *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936)).

² *Sycamore Fam. LLC v. Earthgrains Baking Companies, Inc.*, No. 2:13-CV-00639-DN, 2015 WL 1520769, at *2 (D. Utah Apr. 3, 2015) (cleaned up).

³ See ECF No. 21.

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CERTIFICATE OF SERVICE

I hereby certify that on October 9, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of this filing to all counsel of record.

/s/ Jeffrey N. Candrian
JEFFREY N. CANDRIAN
U.S. Department of Justice